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CERTIFICATE OF MAILING

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Dennis Ditzenberger
Print Name

Dennis Ditzenberger
Signed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Examiner: K. E. Campbell
Molnar :
Serial No.: 10,762,977 : Art Unit: 3618
Filed: January 22, 2004 : Docket No.: 12873-4735
For: Wheelchair Suspension :

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to disclose the following information:

REFERENCES

- ☒ The Applicants wish to make of record the references listed on the attached Form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.

The assignee, Invacare Corporation, wishes to make of record that it is the assignee of US Pat. No. 6,196,343 to Strautnieks and titled "Mid-Wheel Drive Wheelchair" (hereinafter '343 patent). The '343 patent is involved in patent infringement litigation in the case of Invacare

Corp. v. Sunrise Medical Holdings, Inc., et al., Case No. 1:04CV1439 (N.D. Ohio filed July 27, 2004.)

- ☒ Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above. This is not a representation that more pertinent information does not exist.

With regard to items Q1 and Q2 listed on page 5 of PTO form 1449 submitted herewith, Sunrise Medical has asserted that the G-424 wheelchair was on sale in the United States no later than the year 2000. The disclosed G-424 was obtained by Invacare Corp. on November 24, 2004.

- ☒ The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☒ This information disclosure statement is being filed prior to the mailing of a first Office Action.

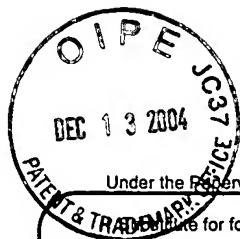
DEPOSIT ACCOUNT

- ☐ A check is attached in the amount of \$ _____ as required under 37 § 1.17(p).
- ☒ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this

is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

By: *Nenad Pejic* 12/9/04
Nenad Pejic, Reg. No. 37,415
Cust. No. 24024
Phone: (216) 622-8200
Fax: (216) 241-0816



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 5

Complete if Known

Application Number	10/762,977
Filing Date	01/22/2004
First Named Inventor	Molnar
Art Unit	3618
Examiner Name	Kelley E. Campbell
Attorney Docket Number	12873/04735

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,174,176	03/23/1965	Olson	
		US- 3,195,670	07/20/1965	Dunn	
		US- 3,210,092	10/05/1965	Kraus	
		US- 3,589,700	06/29/1971	Ruet et al.	
		US- 3,709,313	01/09/1973	James	
		US- 3,876,012	04/08/1975	Regier	
		US- 3,883,153	05/13/1975	Singh et al.	
		US- 3,917,312	11/04/1975	Rodaway	
		US- 4,333,681	06/08/1982	Nelson	
		US- 4,337,958	07/06/1982	Witt et al.	
		US- 4,341,278	07/27/1982	Meyer	
		US- 4,437,678	03/20/1984	Schultz	
		US- 4,500,102	02/19/1985	Haury et al.	
		US- 4,556,229	12/03/1985	Bihler et al.	
		US- 4,721,322	01/26/1988	Hawkins	
		US- 4,759,418	07/26/1988	Goldenfeld et al.	
		US- 4,826,194	05/02/1989	Sakita	
		US- 4,861,056	08/29/1989	Duffy, Jr. et al.	
		US- 4,886,294	12/12/1989	Nahachewski	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		CA 2,254,372	05/17/2000	Clark et al.		
		DE 10126368 A1	02/20/2003	Engels et al.		
		DE 10126369 A1	02/20/2003	Engels et al.		
		DE 10126368 C2	02/20/2003	Engels et al.		
		DE 10126369 C2	02/20/2003	Engels et al.		
		EP 127929	12/12/1984	Parker		

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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(Use as many sheets as necessary)

Sheet 2

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Filing Date	1/22/2004
First Named Inventor	Molnar
Art Unit	3618
Examiner Name	Kelley E. Campbell
Attorney Docket Number	12873/04735

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		Number-Kind Code ² (if known)			
		US- 4,919,441	04/24/1990	Marier et al.	
		US- 4,934,626	06/19/1990	Kimura	
		US- 5,176,393	01/05/1993	Robertson et al.	
		US- 5,222,567	06/29/1993	Broadhead et al.	
		US- 5,241,876	09/07/1993	Mathis	
		US- 5,290,055	03/01/1994	Treat, Jr.	
		US- 5,294,141	03/15/1994	Mentessi et al.	
		US- 5,316,328	05/31/1994	Bussinger	
		US- 5,351,774	10/04/1994	Okamoto	
		US- 5,435,404	07/25/1995	Garin	
		US- 5,467,838	11/21/1995	Wu	
		US- 5,513,875	05/07/1996	Tahara et al.	
		US- 5,531,284	07/02/1996	Okamoto	
		US- 5,540,297	07/30/1996	Meier	
		US- 5,575,348	11/19/1996	Goertzen et al.	
		US- 5,611,555	03/18/1997	Vidal	
		US- 5,727,802	03/17/1998	Garven et al.	
		US- 5,954,351	09/21/1999	Koschinat	
		US- 6,179,076	01/30/2001	Fernie	

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		EP 0677285	10/18/1995	Goertzen et al.		
		EP 0908165	04/14/1999	Pulver		
		EP 0908166	04/14/1999	Pulver et al.		
		EP 1279391	01/29/2003	Engels et al.		
		EP 1279392	01/29/2003	Engels et al.		
		WO 82/00445	02/18/1982	Schultz		

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Attorney Docket Number	12873/04735

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		Number-Kind Code ² (if known)			
		US- 6,209,670	04/03/2001	Fernie et al.	
		US- 6,225,894	05/01/2001	Kyrtsos	
		US- 6,234,263	05/22/2001	Boivin et al.	
		US- 6,322,089	11/27/2001	Dantele et al.	
		US- 6,341,671	01/29/2002	Ebersole	
		US- 6,347,688	02/19/2002	Hall et al.	
		US- 6,405,816	01/18/2002	Kamen et al.	
		US- 6,460,869	10/08/2002	Kral	
		US- 6,533,306	03/18/2003	Watkins	
		US- 6,543,564	04/08/2003	Kamen et al.	
		US- 6,543,798	04/08/2003	Schaffner et al.	
		US- 6,554,086	04/29/2003	Goertzen et al.	
		US- 6,588,799	07/08/2003	Sanchez	
		US- Re 32,242	09/09/1986	Minnebraker	
		US- 2002/0023787	02/28/2002	Kamen et al.	
		US- 2002/0175027	11/28/2002	Usherovich	
		US- 2003/0030243	02/13/2003	Engels et al.	
		US- 2003/0075365	04/24/2003	Fought	
		US- 2003/0122332	07/03/2003	Engels et al.	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 92/09463	06/11/1992	Le et al.		
		WO 93/24342	12/09/1993	Okamoto		
		WO 00/08910	02/24/2000	Taylor		
		WO 00/09356	02/24/2000	Dickic et al.		
		WO 00/12040	03/09/2000	Vea et al.		
		WO 00/66060	11/09/2000	Kirby		

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		Number-Kind Code ² (if known)			
		US- 2004/0032119	09/11/2003	Goertzen et al.	
		US- 2,427,482	09/16/1947	Weissman	
		US- 4,811,966	03/14/1989	Singleton	
		US- 4,565,385	01/21/1986	Morford	
		US- 5,848,385	12/15/1998	Pulver	
		US- 6,041,876	03/28/2000	Pulver et al.	
		US- 6,047,979	04/11/2000	Kraft et al.	
		US- 6,062,600	05/16/2000	Kamen et al.	
		US- 6,341,657	01/29/2002	Ebersole	
		US- 6,454,286	09/24/2002	Hosino	
		US- 6,460,641	10/08/2002	Kral	
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 02/34190	05/02/2002	Goertzen et al.		
		WO 03/030800	04/17/2003	Molnar		

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Sheet

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of

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	Q1	Quickie G-424 User Instruction Manual & Warranty, 930484 Rev. A (27 sheets) (alleged date not later than 2000)	
	Q2	10 Color photographs (8.5 x 11) of Quickie G-424 Wheelchair obtained Nov. 24, 2004.	

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